

Message

From: Wzorek, Katherine [wzorek.katherine@epa.gov]
Sent: 8/24/2017 2:10:04 PM
To: Seneca, Roy [Seneca.Roy@epa.gov]; R3 EVERYONE [R3_EVERYONE@epa.gov]; Kline, James [Kline.James@epa.gov]; Gold, Anne [Gold.Anne@epa.gov]; Vowell, Natalie [Vowell.Natalie@epa.gov]; Dalzell, Sally [Dalzell.Sally@epa.gov]; Bucci, Anthony [bucci.anthony@epa.gov]; Johnson, Larry-C [Johnson.Larry-C@epa.gov]
Subject: EPA Mid-Atlantic Region Headlines - Thursday, August 24, 2017

EPA Mid-Atlantic Region Headlines

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***** DAILY HOT LIST *****

Ex. 5 Deliberative Process (DP)

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Judge throws out developer's 'SLAPP suit' against environmental group A Chester County judge has dismissed a suit by a property developer that sought to stop an environmental group criticizing the company's plans for redeveloping a contaminated industrial site. Judge Jeffrey Sommer of the Chester County Court of Common Pleas threw out the complaint on Wednesday, saying that the defendant, Delaware Riverkeeper Network, is entitled to petition state and local governments in its efforts to block the project by O'Neill Properties, a King of Prussia-based developer of brownfield sites. DRN is fighting the company's plan to build 228 townhouses on the Bishop Tube site in East Whiteland Township where stainless tubes were made for decades, and which is now contaminated with TCE (trichloroethylene), a known carcinogen that was used at the plant as a degreaser. The environmental group is asking the Pennsylvania Department of Environmental Protection to reject O'Neill's plan for the site on the grounds that the development would involve only a partial cleanup, exposing residents to remaining contaminants. DRN has also urged East Whiteland Township to reverse its support for \$1 million in state funds that would help with O'Neill's planned cleanup – a request that the township recently met.

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